

DOCKET NO. P04986
CLIENT NO. NATI15-04986
Customer No. 23990

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Daniel R. Meacham, et al.
Serial No.: 10/071,348
Filed: February 8, 2002
For: FREQUENCY DISCRIMINATOR USING REPLICA
COMPENSATED DELAY LINES AND METHOD OF
OPERATION
Group No.: 2816
Examiner: Cassandra F. Cox

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

12/27/2005 HDEMESS2 00000046 10071348

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REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT
DETERMINATION UNDER 37 CFR 1.705(b)

The Applicants respectfully request that the Patent Office reconsider the patent term adjustment determination for the above-identified patent application.

In support, the Applicants submit the following:

1. In the Notice of Allowance dated September 20, 2005, the patent term adjustment

was determined to be 0 days.

2. The Applicants believe the correct patent term adjustment should be calculated as 367 days (an increase of 367 days).
3. This patent application was filed on February 8, 2002.
4. A first Office Action was mailed on March 13, 2003.
5. The Applicants' response to the first Office Action was received by the Patent Office on July 17, 2003, resulting in a deduction of 34 days (-34 days).
6. A second Office Action was mailed on October 9, 2003.
7. The Applicants' response to the second Office Action was received by the Patent Office on January 13, 2004, resulting in a deduction of 4 days (-4 days).
8. A third Office Action was mailed on April 26, 2004.
9. The Applicants' response to the third Office Action was received by the Patent Office on July 30, 2004, resulting in a deduction of 4 days (-4 days).
10. A fourth Office Action was mailed on September 22, 2004.
11. The Applicants' response to the fourth Office Action was received by the Patent Office on December 29, 2004, resulting in a deduction of 7 days (-7 days).
12. A fifth Office Action was mailed on March 23, 2005.
13. The Applicants' response to the fifth Office Action was received by the Patent Office on June 27, 2005, resulting in a deduction of 4 days (-4 days).
14. A Notice of Allowance was mailed on September 20, 2005.
15. Three years from the filing date of this patent application is February 8, 2005.

16. If a patent issues for this patent application on April 4, 2006 (28 weeks from the mailing of the Notice of Allowance), the Patent Office will have issued a patent 420 days after three years from the filing date (+420 days).

17. The Applicants never filed a continued prosecution application ("CPA") or a request for continued examination ("RCE") in this case.

18. Based on this, the Applicants submit that the correct patent term adjustment should be calculated as 367 days (+420 days – 34 days – 4 days – 4 days – 7 days – 4 days).

19. If the Applicants' calculation is incorrect and the Applicants are entitled to a patent term adjustment greater than 367 days, the Applicants respectfully request that the Patent Office determine and issue the proper patent term adjustment entitled to the Applicants.

Therefore, the Applicants respectfully request that the Patent Office reconsider the determination of patent term adjustment.

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SUMMARY

If any issues arise, the Applicants respectfully invite the Patent Office to contact the undersigned at the telephone number indicated below or at wmunck@davismunck.com.

The Applicants have included the \$200.00 fee for this petition. The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: Dec. 20, 2005



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